

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CLEAN ENERGY EXPERTS,

Plaintiff,

23 **CIVIL** 1940 (DEH)

-against-

JUDGMENT

NICK BENHAMMOU, et al.,

Defendants.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons set forth in the Court's Opinion and Order dated January 18, 2024, Defendant Benhammou's motion to dismiss is GRANTED. Defendant Yomtobian's motion for judgment on the pleadings is construed as a motion to dismiss and GRANTED. In a letter filed September 22, 2023, Plaintiff stated, "that it stands on its pleadings" and would not amend the Complaint in response to Yomtobian's motion. See ECF No. 44. In a conference held on December 20, 2023, Plaintiff restated that it did not think it had a basis to plead a breach of contract claim against Defendants. As such, leave to amend the Complaint is DENIED. Plaintiff is directed to the arbitral forum to pursue its claims related to the chargebacks at issue. Accordingly, this case is closed.

Dated: New York, New York
January 19, 2024

RUBY J. KRAJICK
Clerk of Court

BY:



Deputy Clerk